2013 DRAFTING REQUEST

Bill									
Receiv	red: 3/	3/18/2013				Received By: tkuczens			
Wante	d: A	As time permits Leah Vukmir (608) 266-2512				Same as LRB: By/Representing: Dean Cady			
For:	L								
May C	ontact:					Drafter:	tkuczens		
Subject: Courts - evidence					Addl. Drafters:				
						Extra Copies:			
Reque	t via emai ster's emai n copy (Co	il:		ıkmir@legis. xuczenski@le		_			
Pre To	opie:							-	
No spe	ecific pre t	opic given							
Topic	*								
Inadm	issibility o	of statement	of apolo	gy, liability o	r condolen	ce by health care p	orovider		
Instru	ctions:							<u> </u>	
Re-dra	aft of 2011	AB 147							
Drafti	ing Histor	y:							
Vers.	Drafted	Revi	ewed	Typed	Proofed	Submitted	Jacketed	Required	
/?	tkuczens 3/18/201	3 .	/2013	jmurphy 3/18/2013		-			
/1						sbasford 3/18/2013	lparisi 3/18/2013		
FE Se	nt For:								
Not	aded)			<end></end>	•				

2013 DRAFTING REQUEST

Bill

Received: 3/18/2013						Received By:	tkuczens		
Wante	Wanted: As time permits					Same as LRB:			
For:		Leah Vukn	nir (608) 2	266-2512		By/Representing:	Dean Cady		
May C	ontact:					Drafter:	tkuczens		
Subject: Courts - evidence						Addl. Drafters:			
						Extra Copies:			
Submit via email: Requester's email: Carbon copy (CC) to: YES Sen.Vukmir@legis.wisco tracy.kuczenski@legis.w						0			
Pre To	opic:								
No spe	ecific pr	e topic given	l						
Topic:									
Inadmi	issibility	of statemer	nt of apolo	gy, liability or	condolen	ce by health care pr	rovider		
Instru	ctions:								
Re-dra	ıft of 20	11 AB 147							
Drafti	ng Hist	ory:							
Vers.	Drafted	<u>d</u> <u>Re</u>	viewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required	
/?	tkucze: 3/18/20		er 8/2013	jmurphy 3/18/2013					
/1						sbasford 3/18/2013			
FE Ser	ıt For:								

<**END>**

2013 DRAFTING REQUEST

Bill

Received:

3/18/2013

Received By:

tkuczens

Wanted:

As time permits

Same as LRB:

For:

Leah Vukmir (608) 266-2512

By/Representing: Dean Cady

May Contact:

Drafter:

tkuczens

Subject:

Courts - evidence

Addl. Drafters:

Extra Copies:

Submit via email:

YES

Requester's email:

Sen.Vukmir@legis.wisconsin.gov

Carbon copy (CC) to:

tracy.kuczenski@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Inadmissibility of statement of apology, liability or condolence by health care provider

Typed

Instructions:

Re-draft of 2011 AB 147

Drafting History:

Vers. Drafted

Reviewed

Proofed

Submitted

Jacketed

Required

/?

FE Sent For:

<END>

Kuczenski, Tracy

From:

Cady, Dean

Sent:

Monday, March 18, 2013 9:32 AM

To: Cc: Kuczenski, Tracy Wall, Kristen

Subject:

Senate companion / drafting request

Hey Tracy, this is deano from Senator Vukmir's office. Would it be possible to have a Senate companion drafted for Leah to Rep. Severson's Bill – LRB 0119?

Any questions give me a shout. Thank a mil.

deano



State of Misconsin 2013 - 2014 LEGISLATURE



LRB-049/1
TKK/Jars
Kep

2013 BILL

3/18/13 (No changer)

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Kegen

AN ACT to create 904.14 of the statutes; relating to: inadmissibility of a

statement of apology or condolence by a health care provider.

Analysis by the Legislative Reference Bureau

Under current law, certain types of evidence are not allowed to be admitted in a court action for various policy reasons. For example, evidence of remedial measures taken after an event occurred that would have made the event less likely is not admissible to prove negligence or culpable conduct in connection with the event. As another example, no written or oral communication relating to a dispute in mediation is admissible or subject to discovery in any judicial proceeding or administrative action.

This bill provides that a statement or conduct of a health care provider that expresses apology, benevolence, compassion, condolence, fault, liability, remorse, responsibility, or sympathy to a patient or patient's relative or representative is not admissible into evidence or subject to discovery in any civil action or administrative hearing regarding the health care provider as evidence of liability or as an admission against interest.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 904.14 of the statutes is created to read:

BILL

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904.14 Ina	dmissibility of statement by health care provider of apology
or condolence.	(1) In this section:

- (a) "Health care provider" has the meaning given in s. 146.81 (1) and includes an ambulatory surgery center, an adult family home as defined in s. 50.01 (1), and a residential care apartment complex, as defined in s. 50.01 (6d), that is certified or registered by the department of health services.
 - (b) "Relative" has the meaning given in s. 106.50 (1m) (q).
- (2) A statement, a gesture, or the conduct of a health care provider, or a health care provider's employee or agent, that expresses apology, benevolence, compassion, condolence, fault, liability, remorse, responsibility, or sympathy to a patient or to his or her relative or representative is not admissible into evidence or subject to discovery in any civil action or administrative hearing regarding the health care provider as evidence of liability or as an admission against interest.

SECTION 2. Initial applicability.

(1) This act first applies to statements, gestures, or conduct that occur on the effective date of this subsection.

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(END)

Parísi, Lori

From:

Cady, Dean

Sent:

Monday, March 18, 2013 12:48 PM

To:

LRB.Legal

Subject:

Draft Review: LRB -1921/1 Topic: Inadmissibility of statement of apology, liability or

condolence by health care provider

Please Jacket LRB -1921/1 for the SENATE.